

With regard to the above NPRM, the City of Newport News has experienced the harmful radio interference from Nextel that the NPRM is supposed to correct but we have additional comments to offer.

The mobile data terminals have been affected in the vicinity of three Nextel transmitter sites, rendering them inoperable in the area. Nextel has worked with the City to reduce their transmitter power at these sites and to relocate some Nextel frequencies to sites outside of Newport News. The voice radio system also is subject to the harsh operating conditions around these sites which increases the background noise present in the conversation. These improvements have temporarily restored service to these areas, but based on the resolutions which Nextel has employed, we will quickly reach a limit to their effectiveness. As Nextel acquires more customers and builds additional transmitter sites, the potential number of problem spots grows and there is also a practical limit as to how many frequencies Nextel can move outside of Newport News and still meet their customer demands.

In light of these concerns, the City would like to request that the FCC not impose relocations on Public Safety license holders. The 800 MHz band frequency assignment plans did not originally contain Digital CMRS channels. The other Cellular and PCS communications providers bought, at FCC auctions, blocks of frequencies that had been allocated to their industry. Nextel, however, licensed frequencies on a channel by channel basis that were interspersed with and adjacent to Public Safety and then implemented a Digital CMRS systems using cellular style design standards. The close channel spacing and the noise limited cellular style design has led to the interference problems that are being seen nationally today. The FCC has, in the past, required new service providers that have caused interference to resolve the interference or cease operations. Therefore, I do not believe the burden and cost of relocation should be placed on the Public Safety community and ultimately the public. Instead, the burden and cost should be borne by Nextel Communications.